

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>2/16/2023</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-against-	:	19-CR-687 (VEC)
	:	22-CV-10802 (VEC)
	:	
VICTOR SANTANA,	:	<u>ORDER</u>
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on December 20, 2022, Mr. Santana filed a letter *pro se* purportedly seeking relief under the First Step Act, Dkt. 46;

WHEREAS on December 21, 2022, this Court endorsed Mr. Santana's letter construing it as a petition for a writ of *habeas corpus* pursuant to 28 U.S.C. § 2255; the Court gave Mr. Santana a deadline of January 31, 2023, to object to the characterization of his motion as a § 2255 petition, *see* Dkt. 47;

WHEREAS on January 23, 2023, Mr. Santana requested additional time to respond to the Court's December 21, 2022 Order, Dkt. 49;

WHEREAS on January 30, 2023, the Court granted Mr. Santana's request and extended his deadline to respond to February 28, 2023, Dkt. 50; and

WHEREAS on February 15, 2023, the Court learned that the Court's endorsement at docket entry 50 was not docketed in the parallel civil case, nor was a copy mailed to Mr. Santana.

IT IS HEREBY ORDERED that Mr. Santana's deadline to object to the Court's characterization of his motion as a § 2255 petition is extended to **March 15, 2023**. If Mr. Santana does not object, then the Government's response deadline shall be **March 31, 2023**; Mr. Santana's reply, if any, will be due **April 21, 2023**.

The Clerk of Court is respectfully directed to mail a copy of this order, as well as the Court's endorsement at docket entry 50, to Mr. Santana and note the mailing on both dockets (19-cr-687 and 22-cv-10802).

SO ORDERED.

Date: February 16, 2023
New York, NY



VALERIE CAPRONI
United States District Judge